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August 22, 2023

VIA ECF

United States District Court
Eastern District of New York
Attn: Hon. Orelia E. Merchant, U.S.D.J.
225 Cadman Plaza East
Courtroom 6C South
Brooklyn, NY 11201-1804

Re: Stidhum v. 161-10 Hillside Auto Ave, LLC, et al.
Case No.: 1:21-cv-7163 (OEM) (LB)
MLLG File No.: 94-2019

Dear Judge Merchant:

This firm represents the Defendants, 161-10 Hillside Auto Ave., LLC d/b/a Hillside Auto Outlet (hereinafter “Hillside Auto Outlet”), Hillside Automall Inc d/b/a Hillside Auto Mall (hereinafter “Hillside Auto Mall”) (Hillside Auto Outlet and Hillside Automall collectively hereinafter the “Corporate Defendants”), Ishaque Thanwalla (hereinafter “Thanwalla”), Jory Baron (hereinafter “Jory”), Ronald M. Baron (hereinafter “Baron”), and Andris Guzman (hereinafter “Guzman”) (Thanwalla, Jory, Baron, and Guzman hereinafter “Individual Defendants”) (the Corporate Defendants and Individual Defendants collectively hereinafter the “Defendants”) in the above-referenced case. Defendants write to respectfully request a thirty (30) day extension of time to oppose Plaintiff’s Rule 72 motion.

Pursuant to ¶ II(G) of this Court’s Individual Practices and Rules, Defendants respectfully submit that: (i) the original date Defendants’ opposition to Plaintiff’s Rule 72 motion is due fell yesterday, August 22, 2023; (ii) the reason for the request is because undersigned counsel was tasked with preparing an emergency motion¹ for a temporary restraining Order filed over the weekend and needs additional time to respond to Plaintiff’s motion; (iii-iv) there has been one (1) previous request for an extension of the deadline to oppose Plaintiff’s Rule 72 motion, which was stricken as an improperly filed letter motion; (v) Plaintiff consents to an extension of time of only seven (7) days, which is not enough time for Defendants given your undersigned’s deadlines and appearances in other matters this week and next, including an appearance before the Third Department on Tuesday, August 29, 2023, which will take the entire day due to travel; and (vi) the requested extension of time does not affect any other scheduled dates to Defendants’ knowledge.

Accordingly, Defendants have demonstrated good cause and excusable neglect sufficiently for this Court to exercise its discretion in favor of granting the requested extension of time. See Fed. R. Civ. P. 6(b)(1)(B). Defendants thank this Court for its time and attention to this case.

¹ The case in which your undersigned filed that motion was recently reassigned to this Court.

Dated: Lake Success, New York
August 22, 2023

Respectfully submitted,

MILMAN LABUDA LAW GROUP PLLC

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